

BEFORE THE DIVISION OF MEDICAL QUALITY
BOARD OF MEDICAL QUALITY ASSURANCE
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Petition for)	
Termination of Probation of:)	
WOODROW WILSON WEISS, M.D.,)	NO. L-18038
Petitioner.)	L-22127
_____)	

DECISION

This matter came on regularly for hearing before a Panel of District 10 Medical Quality Review Committee, at Los Angeles, California on August 22, 1980, at 9:00 a.m., Robert A. Neher, Administrative Law Judge of the Office of Administrative Hearings presiding.

Panel members present were:

Joseph A. Martinez, Esq., acting chairperson
Barry Coughlin, M.D.
Hugh Greer, M.D.
Marilyn Clay, R.N.
Bruce Howard, M.D.

Dora Levin, Deputy Attorney General, represented the Attorney General. Respondent appeared in person, and was represented by Harry Sky, Attorney at Law. Documentary and oral evidence was introduced, the matter argued and submitted, and the members of the Panel proceeded to consider the matter. The Administrative Law Judge was present during the Panel's consideration of the case. The Panel finds the following facts:

I

Effective April 20, 1976, in case No. D-1316, the certificate issued to petitioner to practice as a physician and surgeon was revoked for unprofessional conduct within the meaning of Business and Professions Code Sections 2360, 2361, 2391.5 and 2399.5 (prescribing narcotics and dangerous drugs without examination or medical indication). Said revocation was stayed and petitioner was placed on probation for a period of seven (7) years on various terms and conditions.

II

On or about July 20, 1978 petitioner signed and subsequently filed a petition with the Board wherein he applied for a termination of probation. Said petition was denied after hearing by the Division of Medical Quality, effective May 17, 1979.

III

On or about May 6, 1980 respondent filed a petition with the Board for termination of probation, which petition is presently pending.

IV

The evidence failed to establish that with due regard to the public safety and welfare, petitioner's probation should be terminated at this time. While respondent is not in violation of the terms and conditions of his probation, he has shown poor judgment in carrying out the requirements for continuing education. He has taken sufficient hours in preventive medicine to keep current in his probationary duties, however, his continuing education is insufficient to show that respondent has taken care to update his education and skills in Industrial Medicine and General Practice, which fields are a significant part of the business in the clinic that he operates and is responsible for.

* * * * *

Pursuant to the foregoing findings of fact, the Panel makes the following determination of issues:

Cause does not exist for the termination of petitioner's probation and the public interest would be adversely affected by such termination at this time.

* * * * *

WHEREFORE, THE FOLLOWING ORDER is hereby made:

The petition of Woodrow Wilson Weiss, M.D. for termination of probation is hereby denied.

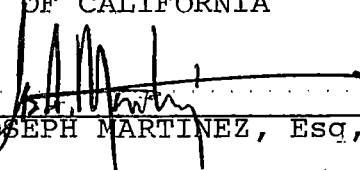
This Decision shall become effective thirty (30) days after service thereof on the parties.

IT IS SO ORDERED this 20th day of November 1980.

This Decision shall become effective December 22, 1980.

PANEL OF DISTRICT 10
MEDICAL QUALITY REVIEW COMMITTEE
DIVISION OF MEDICAL QUALITY ASSURANCE
BOARD OF MEDICAL QUALITY ASSURANCE
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

By


JOSEPH MARTINEZ, Esq, Acting Chairperson